

# COUNTY OF YORK

## MEMORANDUM

**DATE:** January 29, 2002 (BOS Mtg. 2/19/02)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator

**SUBJECT:** Application No. UP-589-02, Rudolph Holmes

### **ISSUE**

Application No. UP-589-02 requests a special use permit, pursuant to Section 24.1-283(b) of the York County Zoning Ordinance, to authorize a barbershop as a home occupation within a single-family detached dwelling located at 103 Banneker Drive and further identified as Assessor's Parcel No. 11D-1-31.

### **DESCRIPTION**

- Property Owner: Rudolph Holmes
- Location: 103 Banneker Drive
- Area: 0.32 acre
- Frontage: 40 feet on Banneker Drive
- Utilities: Public water and sewer
- Topography: Flat
- 2015 Land Use Map Designation: High-density residential
- Zoning Classification: R13 – High density single-family residential
- Existing Development: Single-family detached home
- Surrounding Development:
  - North: Single-family detached home
  - East: Single-family detached home
  - South: Single-family detached home
  - West: Route 199
- Proposed Development: Barbershop as a home occupation

## CONSIDERATIONS/CONCLUSIONS

1. The applicant lives in the Carver Gardens subdivision and wishes to cut hair in his home for his friends. Because he would accept payment for this service, it would be considered the operation of a barbershop as a home occupation. Section 24.1-283 of the Zoning Ordinance requires a special use permit for any home occupations with on-premises retail sales, personal services, or customer/client contact, specifically including barber and beauty shops.
2. Section 24.1-281 of the Zoning Ordinance specifies a series of performance standards that apply to home occupations in general, and Section 24.1-283(b) sets forth additional standards that apply specifically to those home occupations for which a use permit is required. The general purpose of these standards is to limit the size, scale, and visibility of home occupations in order to ensure that they remain incidental and subordinate to the residential use of the property and to prevent adverse impacts on surrounding homes. Pursuant to these standards, home occupations are not permitted to occupy more than 25% of the floor area of the residence or 400 square feet, whichever is less. The applicant's home has 1,682 square feet of floor area, and he has indicated that the barbershop would be limited to one 168-square foot room (10% of the floor area of the home). The Zoning Ordinance also limits the hours of operation to the period between 8:00 AM and 8:00 PM, Monday through Saturday, unless otherwise specified by the Board through a use permit condition.

According to the applicant, the barbershop would be a small-scale, part-time operation with approximately eight (8) to ten (10) appointments per month. There are no employees other than the applicant, and he does not plan to offer regular hours of operation. Customers would contact him to arrange appointments. Based on this information, staff estimates that the business would likely generate no more than twenty vehicle trips per month, or an average of five trips per week. The **potential** trip generation, however, is greater because of the proposed hours of operation, which could conceivably provide for as many as twenty customers – and forty vehicle trips – a day (assuming one customer every half hour with two one-hour breaks). This is a worst-case scenario (in terms of traffic), and a condition has been included in the approving resolution specifying that only one customer may be served at a time.

3. The subject property can accommodate both the residential parking requirement (two spaces) and the off-street parking demand generated by the proposed barbershop (1 space). The home has a two-car carport and a driveway that can accommodate at least two cars.
4. In the past eleven years, the Board of Supervisors has approved seven applications for home barber and beauty shops. For comparison purposes, relevant data for these seven home occupations are listed in the table below. As the table shows, the proposed home occupation would be similar in size and hours of operation to these approved home occupations.

Approval	Location	Maximum	Days and Hours of Operation
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Date		Area	
2/21/91	Lotz Acres Estates	125 square ft.	Monday-Saturday, 8 AM-8 PM
10/17/91	Hudgins Farm Drive	240 square ft.	Monday-Saturday, 8 AM-8 PM
4/16/92	Hornsbyville Road	240 square ft.	Monday-Saturday, 8 AM-8 PM
10/15/92	Running Man	150 square ft.	Monday-Saturday, 8 AM-8 PM
5/20/93	Edgehill	260 square ft.	Monday-Friday, 9 AM-5 PM
8/16/95	Carraway Terrace	200 square ft.	Tuesday-Thursday, 9 AM-6 PM
11/21/00	Woods of Tabb	150 square ft.	3 days/week 9 AM-5 PM

According to staff in the County's Zoning and Code Enforcement Division, there have been no complaints or compliance problems associated with any of these home beauty/barber shops.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its regular meeting on January 9, 2002, and, subsequent to conducting a public hearing at which only the applicant spoke, voted 7:0 to recommend approval.

### **COUNTY ADMINISTRATOR RECOMMENDATION**

The proposed home occupation is a small-scale operation and is not likely to have any adverse impacts on the surrounding area. I am confident that the proposed conditions are sufficient to ensure that it remains a small-scale operation, consistent with the intent of the home occupation provisions of the Zoning Ordinance. Therefore, I recommend that the Board approve this application with a recommendation of subject to the conditions contained in proposed Resolution No. R02-17.

Carter/3337

#### **Attachments**

- Excerpts of Planning Commission minutes of January 9, 2002
- Zoning Map
- Vicinity Map
- Proposed Resolution No. R02-17